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H.L.C.	
Amendment no.:	15
Date offered:	10/27/05
Disposition:	Agreed to by 31 yeas and 20 nays

AMENDMENT TO MR. BARTON'S AMENDMENT

SUBTITLE A

OFFERED BY MR. BUYER

(Amendment to Medicaid Reconciliation Provisions)

(Page & line nos. refer to Amendment of October 26, 2005
12:12 PM)

In the proposed subtitle A, add at the end of chapter

1 [page 25, after line 7] the following new section:

2 **SEC. 3104. IMPROVING PATIENT OUTCOMES THROUGH**
3 **GREATER RELIANCE ON SCIENCE AND BEST**
4 **PRACTICES.**

5 (a) IN GENERAL.—Section 1927 of Social Security
6 Act (42 U.S.C. 1396r–8) is amended—

7 (1) in subsection (d)(5)—

8 (A) in the matter before subparagraph (A),
9 by striking “providing for such approval—” and
10 inserting “providing for such approval meets
11 the following requirements:”;

12 (B) in subparagraph (A)—

13 (i) by inserting “The system” before
14 “provides”; and

15 (ii) by striking “; and” and inserting
16 a period;

 (C) in subparagraph (B)—

[DUR for an atypical antipsychotic or antidepressant drug]

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1 (i) by striking "except" and inserting

2 "Except"; and

3 (ii) by inserting "the system" before

4 "provides"; and

5 (D) by adding at the end the following new

6 subparagraphs:

7 "(C) The system provides that an atypical
8 antipsychotic or antidepressant single source
9 drug may be placed on a list of drugs subject
10 to prior authorization only where drug use re-
11 view board has determined, based on the
12 strength of the scientific evidence and stand-
13 ards of practice, including assessing peer-re-
14 viewed medical literature, pharmacoeconomic
15 studies, outcomes research data and other in-
16 formation as the board determines to be appro-
17 priate, that placing the drug on prior approval
18 or otherwise imposing restrictions on its use is
19 not likely to harm patients or increase overall
20 medical costs.

21 "(D) The system provides that where a re-
22 sponse is not received to a request for author-
23 ization of an atypical antipsychotic or
24 antidepressant drug prescribed within 24 hours
25 after the prescription is transmitted, payment is

[DUR for an atypical antipsychotic or antidepressant drug]

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1 made for a 30 day supply of a medication that
2 the prescriber certifies in is medically nec-
3 essary.”; and

4 (2) in subsection (g)(3), by inserting after
5 clause (iii) the following new clause:

6 “(iv) The development and oversight
7 of prior authorization programs described
8 in subsection (d)(5).”.

9 (b) EFFECTIVE DATE.—The amendments made by
10 subsection (a) shall take effect on January 1, 2007.